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ORDER E-FILED 5/12/2008

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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WHIZZ SYSTEMS, Inc.,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
Department of Homeland Security; et al.,

Defendants.

No. C 08-1100 HRL

**STIPULATION TO DISMISS and
~~PROPOSED~~ ORDER**

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STIPULATION
08-1100 HRL

1 Plaintiff, by and through his attorneys of record, and Defendants, by and through their attorneys
2 of record, hereby stipulate to dismissal of the above-entitled action without prejudice in light of the fact
3 the U.S. Citizenship and Immigration Services has adjudicated and denied the I-140 application.

4 Each of the parties shall bear their own costs and fees.

5 Dated: May 12, 2008

Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 /s/
9 MELANIE L. PROCTOR¹
10 Assistant United States Attorney
Attorneys for Defendants

11 Dated: May 9, 2008

12 /s/
13 CHRISTINA H. LEE
Attorney for Plaintiff

14 **~~FROM~~ ORDER**

15 Pursuant to stipulation, IT IS SO ORDERED. All pending deadlines are hereby TERMINATED,
16 and the Case Management Conference scheduled for July 15, 2008 is hereby VACATED. The Clerk
17 shall close the file.

18 Dated: May 12, 2008

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20 HOWARD R. LLOYD
21 United States Magistrate Judge
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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a “conformed” signature (/s/) within this efiled document.